

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Boe, et al.

Patent No.: 6,236,975

Patent Issue Date: May 22, 2001

Title: SYSTEM AND METHOD FOR PROFILING
CUSTOMERS FOR TARGETED MARKETING

BOX REISSUE

Assistant Commissioner for
Patents
Washington, D.C. 20231

Dear Sir:

"CERTIFICATE OF MAILING BY EXPRESS MAIL"	
I hereby certify that this communication is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Assistant Commissioner of Patents, Washington, DC 20231.	
<i>Willie Jiles</i> Willie Jiles <u>Sept. 28, 2001</u> Date <u>Sept. 28, 2001</u> Express Mail # <u>EL79109293US</u>	

JOINT REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY

We, Barbara J. Boe, Julia M. Hamrick, and Marjorie L. Aarant, hereby declare that:

1. Our residences, post office addresses, and citizenship are as stated below next to our names.
2. We have reviewed and understand the contents of the above-identified specification, including the claims.

3. We believe that we are the original, first, and joint inventors of the subject matter which is described and claimed in United States Patent No. 6,236,975 ("the '975 Patent"), titled "SYSTEM AND METHOD FOR PROFILING CUSTOMERS FOR TARGETED MARKETING," granted on May 22, 2001, and in the foregoing specification for which invention we solicit a reissue patent.

4. We acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

5. We verily believe that the '975 Patent is partly inoperative by reason of our claiming less than we had the right to claim in the patent. The insufficiency of the claims is shown below.

6. We seek to broaden the scope of the claims in the reissue application. This request is filed within two years of the date of the issue of the '975 Patent as required by 35 U.S.C. § 251.

7. Additional claims have been inserted to include subject matter disclosed but not claimed in the '975 Patent. The references cited during prosecution of the '975 Patent and the references disclosed in the Information Disclosure Statement filed August 4, 1999, do not disclose, teach or suggest the subject matter of the additional claims.

8. In a review of the claims, it was recognized that independent Claims 1, 10, 15 and 20 all included an element regarding displaying hypothetical feedback information. During prosecution of the '975 Patent, we mistakenly believed that this element was required to define over the prior art. We were mistaken in our belief because, prior to our invention, dynamically generating targeted marketing reports based on responses received from customers, as recited in independent Claim 29, was not known. Nor was it known to identify a product or service and provide information to a customer associated with the product or service based on responses from the customer to survey questions identified based on demographic data, as recited in independent Claim 34. Nor was it known to generate data sets based on data associated with a customer and a business, both identified by an identification number, as recited by independent Claims 38, 51 and 60. Nor was it known to provide anonymous access to a survey system by encrypting a customer identification number and providing the encrypted number to the survey system for access, as recited by independent Claim 69. Nor was it known to generate a report comprising a probability of

purchase for each of a plurality of customer identification numbers, as recited by independent Claim 73. Nor was it known to generate a report comprising a profile probability associated with profile attributes for each of a plurality of potential customers, as recited by independent Claim 77. Thus, the hypothetical feedback information is not required to define patentable subject matter. Of the independent claims in the '975 Patent, only independent Claim 23 did not include the element relating to hypothetical feedback information. However, independent Claim 23 failed to embrace the full scope of the invention, as claimed by new Claims 29-80.

9. Thus, on this basis, it became clear that the claims of the '975 Patent were partly inoperative to the extent that they claimed less than we had a right to claim. This misunderstanding as to the scope of our invention arose without any deceptive intention on our part and arose because we failed to appreciate that the claims of the '975 Patent did not embrace the full scope of our invention, as discussed above.

10. New Claims 29-87 are added to more fully claim the invention as disclosed in the original specification. Accordingly, no new matter has been added.

11. We hereby appoint:

Practitioners at Customer Number



all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:

Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980

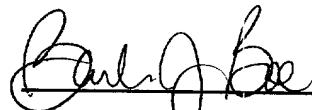
Direct Telephone Calls To:

Kevin J. Meek
at 214.953.6680
Attorney Docket No. 065027.0103

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of the first inventor

Barbara J. Boe



9-28-01

Inventor's signature

Date

Residence (City, County, State)

Dallas, Dallas County, Texas

Citizenship

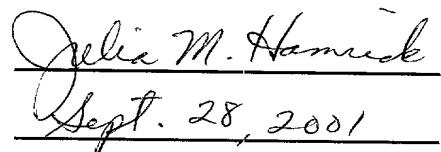
United States of America

Post Office Address

6115 Boca Raton
Dallas, Texas 75230

Full name of second joint inventor, if any

Julia M. Hamrick



Sept. 28, 2001

Inventor's signature

Date

Residence (City, County, State)

Dallas, Dallas County, Texas

Citizenship

United States of America

Post Office Address

5826 Azalea Lane
Dallas, Texas 75230

Full name of third joint inventor, if any

Marjorie L. Aarant

Inventor's signature

Mayra Z. Aant
9-28-01

Date

Residence (City, County, State)

Dallas, Dallas County, Texas

Citizenship

United States of America

Post Office Address

6106 Del Roy Drive
Dallas, Texas 75230

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Willie Jiles
Willie Jiles
Sept. 28, 2001
Date
Express Mail # EL759109293 US

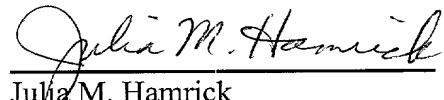
CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

1. Ignite Sales, Inc., certifies that it is the assignee of the entire right, title, and interest in the patent identified above by virtue of a chain of title from the inventors of the patent identified above. The assignment was recorded on September 29, 1998, in the United States Patent and Trademark Office, at reel no. 9510, frame nos. 0372-0375.

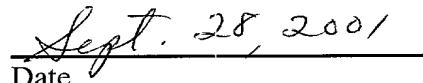
2. A copy of the recorded assignment is attached.

3. The undersigned is empowered to sign this certificate on behalf of the assignee.

4. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Julia M. Hamrick
President, Ignite Sales, Inc.



Date

A 258793



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

June 07, 2000

THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE
RECORDS OF THIS OFFICE OF A DOCUMENT RECORDED ON
September 29, 1998.



By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS


P. R. GRANT
Certifying Officer

ATTORNEY DOCKET NO.
5027.0103

PATENT

ASSIGNMENT

WHEREAS, I, one of the undersigned joint inventors, of residence as listed, having invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been executed on the date set forth below; and

WHEREAS, Ignite Sales, Inc. (hereinafter referred to as "Assignee"), a Texas corporation, with an address of 15301 Dallas Parkway, Suite 840, Dallas, Texas 75248, desires to acquire our entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we assign to Assignee all right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, continuations, continuations-in-part and extensions thereof, and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as our interest is concerned, to Assignee.

We also assign to Assignee, all right, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee.

We will communicate to Assignee any facts known to us respecting any improvements; and, at the expense of Assignee, we will testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said invention in all countries.

This Assignment shall be binding on the parties' successors, assigns and legal representatives.

DAL01:404557

PATENT
REEL: 9510 FRAME: 0374

FORNEY DOCKET NO.
5027.0103

PATENT

2

Title of Invention: SYSTEM AND METHOD FOR PROFILING CUSTOMERS FOR
TARGETED MARKETING

Signature of Inventor:
Inventor's Name:
Residence (City, County, State)

Barbara J. Boe
Barbara J. Boe
Frisco, Denton County, Texas

Date:

September 29, 1998

Date Application Executed:

September 29, 1998

Signature of Inventor:
Inventor's Name:
Residence (City, County, State)

Julia M. Hamrick
Julia M. Hamrick
Dallas, Dallas County, Texas

Date:

Date Application Executed:

September 28, 1998
September 28, 1998

Signature of Inventor:
Inventor's Name:
Residence (City, County, State)

Marjorie L. Aarant
Marjorie L. Aarant
Dallas, Dallas County, Texas

Date:

Date Application Executed:

September 29, 1998
September 29, 1998

104557

RECORDED: 09/29/1998

PATENT
REEL: 9510 FRAME: 0375



PTO/SB/54 (12-97)

Approved for use through 9/30/00. OMB 0651-0033
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION BY THE ASSIGNEE, OFFER TO SURRENDER PATENT		Docket Number (Optional)
<p>This is part of the application for a reissue patent based on the original patent identified below.</p> <p>Name of Patentee(s): Barbara J. Boe, Julia M. Hamrick and Marjorie L. Aarant</p> <p>Patent Number 6,236,975</p> <p>Date Patent Issued May 22, 2001</p> <p>Title of Invention System and Method for Profiling Customers for Targeted Marketing</p>		
<p><u>Ignite Sales, Inc.</u> is the assignee of the entire interest in the original patent.</p> <p>I offer to surrender the original patent.</p> <p><input checked="" type="checkbox"/> A certificate under 37 CFR 3.73(b) is attached.</p>		
<p>I am authorized to act on behalf of the assignee.</p>		
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.</p>		
<p>Name of assignee Ignite Sales, Inc.</p>		
Signature of person signing for assignee <i>Julia M. Hamrick</i>	Date <i>Sept. 28, 2001</i>	
<p>Typed or printed name and title of person signing for assignee Julia M. Hamrick, President</p>		

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Washington, DC 20231.

Willie Jiles

Willie Jiles
Sept. 28, 2001
Date
Express Mail # EL 759109293 US

CONSENT OF ASSIGNEE TO REISSUE APPLICATION

Ignite Sales, Inc., assignee of United States Patent No. 6,236,975, titled "SYSTEM AND METHOD FOR PROFILING CUSTOMERS FOR TARGETED MARKETING," granted on May 22, 2001, consents to the filing of the present application for the reissue of United States Patent No. 6,236,975.

Julia M. Hamrick
Julia M. Hamrick
President, Ignite Sales, Inc.

Sept. 28, 2001
Date